

Message Text

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ACTION EB-03

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FM AMEMBASSY LIMA

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C O N F I D E N T I A L LIMA 3161

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LIMDIS

FOR EB/TT/AV - STYLES

EO 11652: GDS

TAGS: EAIR, PE

SUBJECT: CIVAIR - DISPUTE WITH PERU - AMBASSADOR'S
MEETING WITH AMBASSADOR MARCHAND

REF: LIMA 3128

1. ON APRIL 15, AMBASSADOR CALLED ON AMBASSADOR MARCHAND AT FOREIGN MINISTRY AT LATTER'S REQUEST TO DISCUSS STATE OF BRANIFF/AEROPERU NEGOTIATIONS. AFTER STRESSING GOP'S GREAT DESIRE THAT NEGOTIATIONS CONTINUE AND REACH SATISFACTORY CONCLUSION, MARCHAND SAID FOREIGN MINISTER DE LA FLOR HAD INSTRUCTED HIM TO CONVEY MINISTER'S CONCERN OVER MOST RECENT DEVELOPMENTS IN THESE NEGOTIATIONS. SPECIFICALLY, MARCHAND SAID THAT MINISTER WAS CONCERNED THAT SENIOR BRANIFF NEGOTIATORS HAD DEPARTED LIMA FOLLOWING APRIL 14 MEETING. HW WAS ALSO CONCERNED THAT BRANIFF REPRESENTATIVES WERE NOT OF SAME HIGH RANK AS SOTO, WHO AFTER ALL WAS A GENERAL AND HEAD OF AN IMPORTANT GOP ENTITY. MARCHAND ASKED WHY WE DID NOT HAVE SENIOR BRANIFF OFFICIAL HERE FOR NEGOTIATIONS SUCH AS THAYER, SOUT OR DE MURIAS. FINALLY, MARCHAND COMPLAINED OVER ALLEGEDLY BRUSQUE MANNER OF BRANIFF REPRESENTATIVES AT CLOSE OF APRIL 14 MEETIN.

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2. AMBASSADOR REPLIED THAT OBVIOUSLY FOREIGN MINISTRY WAS MISINFORMED AND NOT UP-TO-DATE REGARDING AIRLINE NEGOTIATIONS. HE SAID THAT THE BRANIFF NEGOTIATOR WAS IN FACT DE MURIAS WHO HAD NOT LEFT LIMA AFTER APRIL 14 MEETING, BUT WAS STILL IN CITY AND HAD JUST COMPLETED YET ANOTHER MEETING WITH AEROPERU REPRESENTATIVES SHORTLY BEFORE TIME OF AMBASSADOR'S CALL ON MARCHAND. THEREFORE, THERE HAS BEEN NO PROBLEM OF EQUIVALENCE OF RANK BETWEEN BRANIFF AND AEROPERU SENIOR NEGOTIATORS AND NONE OF ABSENTEEISM, AT LEAST NOT SINCE SOTO'S ABSENCE LAST WEEK AT TIME WHEN TWO SENIOR BRANIFF OFFICIALS HAD COME TO LIMA ESPECIALLY FOR NEGOTIATIONS.

AMBASSADOR ALSO TOLD MARCHAND THAT DIALOGUE IS CONTINUING AND HAS NOT BY ANY MEANS BEEN HALTED, ALTHOUGH AEROPERU'S INTRANSIGENCE RAISED SERIOUS QUESTION OF WHETHER FURTHER NEGOTIATIONS ARE IN FACT POSSIBLE.

3. FINALLY, AMBASSADOR NOTED THAT MINISTER'S PREOCCUPATIONS APPEARED TO REFLECT YET ANOTHER EXAMPLE OF DISTORTIONS AND MISINFORMATION WITH WHICH REPORTS OF NEGOTIATIONS HAVE BEEN CONVEYED TO GOP. THIS IS WHY AMBASSADOR HAD BEEN ENDING MEMORANDA TO KEEP RECORD STRAIGHT. EFFORT HAS BEEN SOLELY IN INTEREST OF GOOD COMMUNICATIONS. MARCHAND SAID HE HAD ONLY BEEN REPEATING WHAT FOREIGN MINISTER HAD ASKED HIM TO SAY, AND THAT OBVIOUSLY HE HAD NOT BEEN CURRENTLY INFORMED; PERHAPS HE WAS REFLECTING CONDITIONS AS THEY EXISTED THE WEEK BEFORE.

4. MARCHAND SAID HE WISHED TO SPEAK AS "FRIEND TO FRIEND" EVERY EFFORT SHOULD BE MADE TO KEEP TWO AIRLINES TALKING, MARCHAND SAID, MAKING STRONG PITCH FOR AEROPERU'S 24 FLIGHT PROPOSAL. AMBASSADOR NOTED THAT THIS REPRESENTED NO PROGRESS AS IT WAS ESSENTIALLY THE SAME AS AEROPERU'S POSITION AS OF OCTOBER 31, 1974. AMBASSADOR THEN REVIEWED CONCESSIONS MADE BY BRANIFF SINCE START OF TALKS AND NOTED THAT BRANIFF POSITION IS FIRM THAT 24 FLIGHTS NOT ACCEPTABLE. AMBASSADOR ASKED IF THERE IS ANY FLEXIBILITY IN PERUVIAN POSITION, MENTIONING RIGHTS TO BRAZIL AND TERM OF AGREEMENT. MARCHAND INDICATED THAT BOTH MIGHT BE NEGOTIABLE.

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5. MARCHAND THEN EMPHASIZED THAT NEGOTIATIONS WOULD NOT BE FACILITATED BY REIMPOSITION OF PART 213 ACTION. THIS WOULD BE THE WRONG WAY TO DEAL WITH PERU'S GENERALS. AMBASSADOR REPLIED THAT USG ALSO WISHED TO AVOID BRINGING 213 INTO EFFECT, BUT THAT BEST WAY TO DO THIS IS TO CARRY NEGOTIATIONS FORWARD ON AN URGENT BASIS. MARCHAND NOTED THAT 213 WOULD BE LIKE NEGOTIATING BY CUTTING OFF HEADS. AMBASSADOR REPLIED THAT WORSE EXAMPLE OF HEAD CUTTING IS NOT 213 BUT

GOP'S ACTION IN CUTTING BRANIFF BACK TO 16 FLIGHTS FROM 34
AND IN RETROPECT PERHAPS USG SHOULD HAVE TAKEN 213 ACTION
AT THAT TIME. HE REMINED MARCHAND THAT SITUATION IS
NOT ONE IN WHICH AEROPERU IS GIVING AWAY RIGHTS TO BRANIFF
BUT ONE IN WHICH BRANIFF AND THE USG HAVE SOMETHING VALUABLE TO OFFER
IN RETURN. WHILE WE REALIZE POSSIBLE CONSEQUENCES OF 213
ACTION, WE ARE AT AN IMPASSE AND ARE PREPARED TO ACCEPT
THEM IF WE CANNOT REACH ACCOMMODATION.

6. AMBASSADOR HANDED MARCHAND COPY OF BRANIFF'S LETTER
REJECTING AEROPERU'S PROPOSAL AND SAID HE THOUGHT SITUA-
TION REQUIRED HIM TO MEET WITH FOREIGN MINISTER ON AN
URGENT BASIS AND THAT HE MIGHT BE IN POSITION TO CONVEY
ONE MORE PROPOSAL. MARCHAND AGREED TO ARRANGE SUCH
A MEETING ON APRIL 16.
DEAN

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